

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

Case No. _____

(to be filled in by the Clerk's Office)

Michael W. Paulson

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

See Attached

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

The Clerk will not file a civil complaint unless the person seeking relief pays the entire filing fee (currently \$350) and an administrative fee (currently \$50) in advance, or the person applies for and is granted in forma pauperis status pursuant to 28 U.S.C. § 1915. A prisoner who seeks to proceed in forma pauperis must submit to the Clerk (1) a completed affidavit of poverty and (2) a copy of the trust fund account statement for the prisoner for the six month period immediately preceding the filing of the complaint, obtained from and certified as correct by the appropriate official of each prison at which the prisoner is or was confined for the preceding six months. See 28 U.S.C. § 1915(a)(2).

If the Judge enters an order granting a prisoner's application to proceed in forma pauperis, then the order will assess the filing fee (currently \$350) against the prisoner and collect the fee by directing the agency having custody of the prisoner to deduct an initial partial filing fee equal to 20% of the greater of the average monthly deposits to the prison account or the average monthly balance in the prison account for the six-month period immediately preceding the filing of the complaint, as well as monthly installment payments equal to 20% of the preceding month's income credited to the account for each month that the balance of the account exceeds \$10.00, until the entire filing fee has been paid. See 28 U.S.C. § 1915(b). A prisoner who is granted leave to proceed in forma pauperis is obligated to pay the entire filing fee regardless of the outcome of the proceeding, and is not entitled to the return of any payments made toward the fee.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Michael W. Paulson

All other names by which
you have been known:

None

ID Number

21001472

Current Institution

Delaware County Prison

Address

Po Box 23, 500 Cherney RoadThorntonPA19373

City

State

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

The GEO Group, Inc.Job or Title (*if known*)Prison Management Corporation

Shield Number

None

Employer

Delaware County

Address

Po Box 23, 500 Cherney RoadThorntonPA19373

City

State

Zip Code

☐

Individual capacity

☒

Official capacity

Defendant No. 2

Name

Mario ColavucciJob or Title (*if known*)Deputy Warden

Shield Number

Unknown

Employer

The GEO Group, Inc.

Address

Po Box 23, 500 Cherney RoadThorntonPA19373

City

State

Zip Code

☒

Individual capacity

☐

Official capacity

Defendant No. 3

Name

Zachary Serody

Job or Title (if known)

Correctional Officer - Sergeant

Shield Number

Unknown

Employer

The GEO Group, Inc.

Address

Po Box 23, 500 Cheyney Road

Thornton

City

PA

State

19373

Zip Code

☒ Individual capacity ☐ Official capacity

Defendant No. 4

Name

Sergeant Brown

Job or Title (if known)

Correctional Officer - Sergeant

Shield Number

Unknown

Employer

The GEO Group, Inc.

Address

Po Box 23, 500 Cheyney Road

Thornton

City

PA

State

19373

Zip Code

☒ Individual capacity ☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

37 PA. Code § 95.240 ; PA. Const. Art. 1 § 9

61 PA. C.S.A. § 5901 ; U.S. Const. Amend. 4, 8, 14

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

None - Not Applicable

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See Attached**III. Prisoner Status**

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☒ Other (explain) Convicted and Sentenced County Prisoner

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

None - Not Applicable

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

See Attached

- C. What date and approximate time did the events giving rise to your claim(s) occur?

See Attached

- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See Attached

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

See Attached

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Property Stolen (commissary items)	\$85.30
Punitive Damages (Food, Clothing, Violation of Rights)	\$1.7 million
Termination of Employment For:	
• Sgt Z. Serody	
• Sgt Brown	

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Delaware County Prison

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

All of the incorporated Claims

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

- E. If you did file a grievance:

1. Where did you file the grievance?

Cell: 10-C-~~02~~212 ; 5-A-211; 6-A-211

Delaware County Prison

2. What did you claim in your grievance?

See Attached

3. What was the result, if any?

See Attached

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

See Attached

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

None - Not Applicable

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

- Mario Colucci - 12/28/21 - by way of Family Member. He deliberately ignored the issues
- Other Various Prison Staff, Unaware of their Names.

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

See Attached

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

None - Not Applicable

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) None - Not Applicable

Defendant(s) None - Not Applicable

2. Court (if federal court, name the district; if state court, name the county and State)

None - Not Applicable

3. Docket or index number

None - Not Applicable

4. Name of Judge assigned to your case

None - Not Applicable

5. Approximate date of filing lawsuit

None - Not Applicable

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

None - Not Applicable

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☒ Yes☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Michael W. Paulson

Defendant(s) The GEO Group, Inc.

2. Court (if federal court, name the district; if state court, name the county and State)

Federal - Eastern District of Pennsylvania

3. Docket or index number

2019-6013

4. Name of Judge assigned to your case

Unknown

5. Approximate date of filing lawsuit

Unknown

6. Is the case still pending?

☒ Yes

☐ No

If no, give the approximate date of disposition

Unknown

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

Unknown

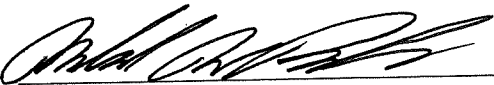
IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: January 18, 2022

Signature of Plaintiff 
 Printed Name of Plaintiff Michael W Paulson
 Prison Identification # 21001472
 Prison Address Po Box 23, 500 cherney Road
Thornton PA 19373
City State Zip Code

B. For Attorneys

Date of signing: None - N/A

Signature of Attorney None - Not Applicable
 Printed Name of Attorney None - Not Applicable
 Bar Number None - Not Applicable
 Name of Law Firm None - Not Applicable
 Address None - Not Applicable
None - N/A N/A N/A
City State Zip Code
 Telephone Number None - Not Applicable
 E-mail Address None - Not Applicable

DEFENDANTS

Defendant No. 5

Name: Richard Lesch

Title: Chief of Security

Shield: Unknown

Employer: The GEO Group, Inc.

Address: Po Box 23, 500 Cheyney Road, Thornton, PA 19373

Capacity: Individual Capacity

Defendant No. 6

Name: A. Johnson

Title: Correctional Officer

Shield: Unknown

Employer: The GEO Group, Inc.

Address: Po Box 23, 500 Cheyney Road, Thornton, PA 19373

Capacity: Individual Capacity

Defendant No. 7

Name: John Doe

Title: Correctional Officer

Shield: Unknown

Employer: The GEO Group, Inc.

Address: Po Box 23, 500 Cheyney Road, Thornton, PA 19373

Capacity: Individual Capacity



Inmate / Resident Grievance Form

Step

1

Facility

George W. Hill

Correctional Facility

Instructions:

Inmate/Residents-Attempt informal resolution with a Staff Supervisor. If you feel that the issue is not resolved, complete the form with the information requested. If what you describe is not grievable or unreadable-the form will be returned to you without action.
If this is an **Emergency**-immediately contact a staff member. (An Emergency is defined as an immediate threat to your welfare or safety).

Grievance Number:
(Grievance Coordinator will assign number)

Inmate/Resident Name:

Michael Paulson

Inmate/Resident Number

21001172

Housing Location:

6-A-211

Describe the nature or description of problem. Print or write legibly. Include time, date and names of persons involved or witnessing the incident. If you need more space, continue on the reverse side of this form. Be as concise as possible.

On the 24th day of December, 2021, I was taken to the hole by Sgt. Z. Serody and Sgt. Brown. They would not allow me to pack my stuff and resultantly, All my commissary that I received on 12/23/21 was stolen (see order # 1951902A) in addition to my GPX Rods that I had purchased for \$35.00 off commissary in the beginning of the year. In total, \$85.30 was stolen from me due to Sgt. Serody / Sgt. Brown's error. I would like for ALL the items to be returned or for the prison to refund the money to my account -- otherwise I will have to proceed by suing for damages in court. Thank you!

Date/Time Submitted:

12/28/2021

Inmate/Resident Signature:

Emergency:

☐ Yes☒ No

Inmate/Residents will not write below this line

Date/Time Received:

Grievance Coordinator Name:

Emergency:

☐ Yes☐ No**Disposition of Grievance**

Your Grievance has been carefully reviewed and the following response is submitted:

Date of Response:

Responding Staff Member name:

If you believe the issue was not resolved and desire to appeal to step two:
Request a step 2 grievance form from a staff member. Attach this completed step 1 to the step two, attach any additional documentation and resubmit to the grievance coordinator.

CC: File



Inmate / Resident Grievance Form

Step

1

Facility

George W. Hill
Correctional Facility**Instructions:**

Inmate/Residents-Attempt informal resolution with a Staff Supervisor. If you feel that the issue is not resolved, complete the form with the information requested. If what you describe is not grievable or unreadable-the form will be returned to you without action.
If this is an **Emergency**-immediately contact a staff member. (An Emergency is defined as an immediate threat to your welfare or safety).

Grievance Number:

(Grievance Coordinator will assign number)

Inmate/Resident Name:

Michael Paulson

Inmate/Resident Number

21001472

Housing Location:

10-C-212

Describe the nature or description of problem. Print or write legibly. Include time, date and names of persons involved or witnessing the incident. If you need more space, continue on the reverse side of this form. Be as concise as possible.

Me and Marchand Hill were taken to the Hole on
December 24 2021 at 14:30hrs by Sgt. Serod / Brown

Neither of us have received a write-up or Notice of
Infractions against us within the 24 hour deadline (let alone at all)

Why are we still here? This is considered to be
Arbitrary Punishment and is a Procedural Due Process
and Constitutional Rights Violation. We need to be
transferred ASAP. Thank you

Date/Time Submitted:

12/30/31 @ 7:00hrs

Inmate/Resident Signature:

Emergency:

☒ Yes ☐ No

Inmate/Residents will not write below this line

Date/Time Received:

Grievance Coordinator Name:

Emergency:

☐ Yes ☐ No
Disposition of Grievance

Your Grievance has been carefully reviewed and the following response is submitted:

Date of Response:

Responding Staff Member name:

If you believe the issue was not resolved and desire to appeal to step two:
Request a step 2 grievance form from a staff member. Attach this completed step 1 to the step two, attach any additional documentation and resubmit to the grievance coordinator.

CC: File



Inmate / Resident Grievance Form

Step

2

Facility

George W. Hill
Correctional Facility

Instructions:

Inmate/Residents: If dissatisfied with the answer to step 1, complete this form stating specific reasons why you do not agree with step 1. Submit to a member of the staff or place in the grievance box.
Grievance Coordinator: Log this document. Attach copies of all of the previous documentation of step 1. Forward to the facility warden.

Grievance Number:

22-01-148

Inmate/Resident Name:

Michael W Paulson

Inmate/Resident Number

21001472

Housing Location:

5-A-211

Describe the nature or description of problem. Print or write legibly. Include time, date and names of persons involved or witnessing the incident. If you need more space, continue on the reverse side of this form. Be as concise as possible.

I believe the attached step # 1 grievance and documentation requires further administrative review. The responding staff member indicates that "No company policy was broken." However, Policy # 100.01 indicates that "Discipline may not be imposed unless the inmate has been informed of the offence, charged in writing, ... And the inmate has been found guilty of the charge..." Further, "Inmates ... Must receive written notice of the infraction within 24 hours...". I should have been released from segregation no later than 12/26/21, as I never properly received written notice and/or a hearing. I was released on 1/2/22, making the placement arbitrary and a violation of my limited due process rights.

Date/Time Submitted:

1/27/22 @ 22:00hrs

Inmate/Resident Signature:

Inmate / residents will not write below this line

Date/Time Received:

Grievance Coordinator Name:

Disposition of Grievance Step 2 (within 5 days of receipt)

Your Grievance has been carefully reviewed by the facility warden and the following response is provided:

I will have surveillance video reviewed to validate your allegations. If warranted, appropriate disciplinary actions will be administered.

I do not share staff disciplinary information with offenders

Date of Response:

2/2/22

Facility Warden

The Facility Warden has final authority and this grievance may not be appealed to a higher authority.

cc: File
Marchand Hill



Inmate / Resident Grievance Form

Step

1

George W. Hill
Correctional Facility

Instructions:

Inmate/Residents-Attempt informal resolution with a Staff Supervisor. If you feel that the issue is not resolved, complete the form with the information requested. If what you describe is not grievable or unreadable-the form will be returned to you without action.

If this is an Emergency-immediately contact a staff member. (An Emergency is defined as an immediate threat to your welfare or safety).

Grievance Number
(Grievance Coordinator will assign number)

22-01-148

JAN 20 2022

BY *[Signature]*

Inmate/Resident Name:

Michael W. Paulson

Inmate/Resident Number

21001472

Housing Location:

10-C-212

Describe the nature or description of problem. Print or write legibly, include time, date and names of persons involved or witnessing the incident. If you need more space, continue on the reverse side of this form. Be as concise as possible.

Please find attached a legal Memorandum regarding
the Placement of Marchand Hill, Inmate # 21001400
and myself in the segregation housing unit (10-C-212)
and the Willful negligence and Misconduct by Prison
Staff that resulted from the same. Thank you.

Date/Time Submitted:

1/4/2022 @ 08:00 hrs

Inmate/Resident Signature:

[Signature]

Emergency:

☒ Yes ☐ No

Inmate/Residents will not write below this line

Date/Time Received:

Grievance Coordinator Name:

Oscar Lemus
Grievance Coordinator

Emergency:

☐ Yes ☐ No

Disposition of Grievance

Your Grievance has been carefully reviewed and the following response is submitted:

Mr. Paulson,

Your grievance has been processed
and reviewed. No Company policy was broken.
You were removed from segregation accordingly.
End of Response.

Date of Response:

1/21/22

Responding Staff Member name:

[Signature]

If you believe the issue was not resolved and desire to appeal to step two:
Request a step 2 grievance form from a staff member. Attach this completed step 1 to the step two, attach any additional
documentation and resubmit to the grievance coordinator.

CC: File
Marchand Hill

(2)

Grievance No.:

Date & Time Submitted: January 13, 2022 at 19:00 hrs

Submitted by: Michael W. Paulson, Inmate # 21301472



LEGAL MEMORANDUM

- Friday December 24, 2021 at 12:30 hrs, Cell 6-A-211:
Correctional Officer A. Johnson came to the above-mentioned cell while me and my cellmate, Marchand Hill (hereinafter referred to as "Hill") were sleeping. Johnson began yelling and screaming about our door being unable to properly secure. After she was unable to secure the door, she eventually just walked away. Right before she walked away, she threatened Hill and I with a trip to Administrative Segregation (The Hole). It shall be noted of record that our cell door had been broken since the beginning of November, 2021, or possibly late October, 2021. Johnson was fully aware of this and so was the Prisons Maintenance department. See attached Request for information dated 11/8/2021 and addressed to and responded by Susan Sendall, Fire and Safety on 11/22/21.
- Friday December 24, 2021 at 14:30 hours, Cell 6-A-211:
Sergeant Z. Serody, Sergeant Brown, and an unknown named Correctional Officer (John Doe) woke Hill and I up while we were sleeping. Serody then immediately handcuffed me and Brown then handcuffed Hill. Without being afforded to pack up our property or even get appropriately dressed, Serody and John Doe immediately escorted us to Medical to have a body sheet

done than to the Hole. Serody and John Doe then Placed Hill and I in Cell 10-C-212 with no clothing, Sheets, hygiene supplise, ect. Hill then noticed the toilet would not flush and the toilet, and the wall around the same, were covered in large amounts of Human feces and waste. Hill also noticed the cell light was inoperable and the door lock was missing the cylinder to manually lock the door and unlock the door. Further, the cell also did not have mattresses for either bed. When we advised Serody and John Doe of these issues, Serody shrugged his shoulders, told us it wasn't his problem and walked away leaving Hill and I in an uninhabitable cell.

- Tuesday, December 28, 2021 at 10:30 hours, Cell 10-C-212: Hill and I received our first meal (a lunch tray, served at 11:00 hours) since we were placed in the Hole -- four days ago. We both missed out on a total of eleven (11) meals. We also were not given any sheets, blankets, towels, hygiene items, clothes, or mattresses for the beds. We were unable to properly and hygienically use the toilet in the cell (Maintenance was on the block on 12/28/21 at 10:30 hrs and fixed the toilet -- per my oral request to them through the door.), unable to take a shower, unable to use telephones and order commissary, unable to attend visits (the Prison cancelled our scheduled visits), participate in our statutorily mandated physical exercise pursuant to GI PA. C.S.A. § 5901, send out mail or speak to the unit manager. Hill and I finally received mattresses, sheets, towels,

blankets and hygiene products around 13:00 hours on this same day. Around 19:00 hours, we were finally let out to take a shower and receive one (1) hour of recreation. We were able to make phone calls home to our families.

- Wednesday December 29, 2021, at 15:00 hours, Cell 10-C-212:
Hill and I finally received our property. Missing from my property was everything I had received from commissary the day prior to being taken to the hole. See commissary receipt dated 12/21/2021, 12:48 PM, Order # 19519028 total \$50.31. I was also missing my radio which I purchased from commissary for approximately \$35.00. The receipt for this item is in the Prisons system, however I do not currently possess a copy of the receipt, as it was purchased in early-mid 2021. Also missing was some clothes, books and other items, in which their value is unknown. Hill was also missing property as well, but I am unsure of the exact items and their value other than the TV he purchased from commissary and his antenna. I request a follow up with Hill to determine the missing property and its value.

- Wednesday, December 29, 2021 to January 2, 2022:
Hill and I did not receive any physical exercise time, an ability to shower, make phone calls, place commissary orders, place out mail, visits, ect.

- Sunday January 2, 2022 at 12:40 hours:
Hill was moved to Unit 6 and I was moved to 5-A-211.



The GEO Group, Inc.

George W. Hill Correctional Facility,
Thornton, Pa. 19373

GWHCF Inmate No. 21001432

INMATE REQUEST FOR INFORMATION
(One per Inmate/Recipient)

DATE: 11/18/2021

TO: (Check the person to whom this request is being directed)

☐ Warden ☐ Deputy Warden, Operations ☐ Deputy Warden, Security
☐ Business Manager ☐ Chief of Security ☐ Shift Commander
☐ Chaplain ☐ Case Manager ☐ Health Services Admin.
☐ Commissary Officer ☒ Other Susan Sendall, Fire & Safety

CHECK OFF OR WRITE REQUEST BELOW:

☐ AA/NA Registration ☐ Bible ☐ Protestant Church ☐ Catholic Mass ☐ Taloem/Jumrah
☐ Ramadan

Other: Ms. Sue, Could you please talk to Joe McCreary to get someone to come fix my lock/door? The lock is missing a screw and the plate is sticking out where the door shuts and the metal plate on the door is loose. It has been like this for a few weeks & keeps getting worse. I keep telling the c/o's & unit sergeants to put in a work order on FacilityVue for it, but I think they keep forgetting to do it or not doing it at all. Thank you!

Inmate Signature: [Signature]

CC: Fire

ACTION TAKEN:

Mr. Paulson,
Maintenance has been notified of your issue. Thank you for letting us know. A Technician will be assigned to correct the problem as soon as possible.

STAFF SIGNATURE

[Signature]

DATE 11/22/21

ILLINOIS COMMISSARY NE IWORK
P.O BOX 17490, St Louis, MO 63178-7490
340 for GEO GEORGE W HILL CORR FAC

Name: PAULSON, MICHAEL
ID: 21001472
Acct #: 17181
CPR #: 4597342
Block: A
Bal Before Order: 50.34
Bal After Order: 0.03
Wave: 78772
Order #: 19519028
Order Date: 12/18/2021
Tier: M6
Cell: 211



19519028-4597342

Bay-Seq	Qty	UOM	Description	Alias	I	Price
KA1						
A-1223	5 EA		GRANDMAS COOKIES OAT	3015		4.75
B-2229	1 BX		PINK SUGAR SUB- 100CT	2216		2.10
D-4321	14 EA		LS CHICKEN RAMEN	6065		8.40
F-6202	2 EA		AAA 1/EA ION3 BATTERY	1206		2.12
F-6205	5 EA		CINNAMON ROLL 4OZ	3248		6.25
G-7050	7 EA		BUFF BLU CHS CHIP1.5OZ	6153		7.00
G-7110	1 BX		(BX) KF TEA BAGS 48 COU	2028		4.75
H-8107	1 EA		ALBERTO VO5 SHAMPOO 1	0010		3.54
H-8211	5 EA		GRANDMAS COOKIES CHO	3010		4.75
H-8700	7 EA		WHOLE SHABANG 1.5 OZ	6079		6.65

Total Pick Qty 48
Total Weight 8.87 Lbs
SubTotal: 50.31
Tax: 0.00
Total: 50.31

I have checked and received this order with any and all credits/shortages as indicated herein.

Signed: _____ Date: _____
Witnessed By: _____ Date: _____

*** Emergency! *****George W. Hill Correctional Facility****Medical request/Solicitud De Asistencia Medica****Date of Request/ Fecha De Solicitud:** 12/28/2021**Print/Escribir:**Michael Paulson2100147210-C-212

Name/Nombre

Inmate number/

Housing Location/

numero de preso/a

Sitio de Vivienda

Check One:☒ **Medical/Mental Health**☐ **Dental**

Briefly state the reason for your request. Please submit this request to the pill call nurse on the unit. A copy of your request will be filed in your records.

Indique brevemente el motivo de su solicitud. Favor de enviar ésta solicitud a la enfermera que administra los medicamentos en la unidad. Una copia de su pedido seria archivada en su registro.

Problem/Queja:

I was taken to the Hole on 12/24/21 and since then me and my Cellmate, Marchand H.H. Inmate # 2101400, have not been given an opportunity to shower. We have not been fed any meals at all. Staff would not give us Mattresses of Sheets, blankets, Towels or any hygiene Products. Staff also has not allowed us out of the Cell to physically exercise. Because of this, I am suffering from severe mental distress and I am experiencing physical Pain in my body from no Mattress and I'm so hungry from not being fed. Staff keeps ignoring our requests. I would like medical Attention ASAP! Please help us!! Thank You!

Time/Date Received:

Triage Nurse:

Prioritization Assessment:

*** Emergency *****George W. Hill Correctional Facility****Medical request/Solicitud De Asistencia Medica****Date of Request/ Fecha De Solicitud:** 2/2/2022**Print/Escribir:**Michael Paulson 21001472 10-C-212*Name/Nombre**Inmate number/**Housing Location/**numero de preso/a**Sitio de Vivienda***Check One:**☒ **Medical/Mental Health**☐ **Dental**

Briefly state the reason for your request. Please submit this request to the pill call nurse on the unit. A copy of your request will be filed in your records.

Indique brevemente el motivo de su solicitud. Favor de enviar ésta solicitud a la enfermera que administra los medicamentos en la unidad. Una copia de su pedido seria archivada en su registro.

Problem/Queja:

I submitted a sick call to the Pill Call nurse on 12/28/21 and still have not been seen. On 12/28/21, after 14:00 hours, M/ Cellmate and I finally got Fed and we got showers, Matresses, sheets, etc. but Now Staff has not let us get showers or Physical exercise for days again! I'm still having body pains and I'm in Mental distress! I'm also having skin irritation from not being able to shower. Can you Please call me down to check me out? I need to speak to someone ASAP - AND M/ Cellmate, Michael Hill, or anyone Please & Thank You!

Time/Date Received:**Triage Nurse:****Prioritization Assessment:**



Inmate / Resident Grievance Form

Step

2

Facility

George W. Hill
Correctional Facility**Instructions:**

Inmate/Residents: If dissatisfied with the answer to step 1, complete this form stating specific reasons why you do not agree with step 1. Submit to a member of the staff or place in the grievance box.
Grievance Coordinator: Log this document. Attach copies of all of the previous documentation of step 1. Forward to the facility warden.

Grievance Number:

22-01-146

Inmate/Resident Name:

Michael W. Paulson

Inmate/Resident Number

21001472

Housing Location:

5-A-211

Describe the nature or description of problem. Print or write legibly. Include time, date and names of persons involved or witnessing the incident. If you need more space, continue on the reverse side of this form. Be as concise as possible.

I believe the attached Step # 1 grievance and documentation requires further administrative review. The responding staff member indicates that my "... account will be frozen until 2/14/22." I direct your attention to Policy # 1000.01, Page # 6 (1,4,H,3,h) indicates that Informal resolution sanctions regarding loss of Commissary Privileges can be for one (1) week, but NOT more than seven (7) days. Further, that an action of discipline can be resolved formally OR informally, NOT both. My account was frozen on 1/15/22, 13 days after being released from segregation after beating the write up by due process and 22 days consecutive to the offense. Further, My account has now been frozen for 12 days, exceeding the 7 day period, therefore a violation of Policy

and a
malicious and
arbitrary task.

Date/Time Submitted:

1/27/22 @ 22:00 hrs

Inmate/Resident Signature:

Inmate / residents will not write below this line

Date/Time Received:

Grievance Coordinator Name:

Disposition of Grievance Step 2 (within 5 days of receipt)

Your Grievance has been carefully reviewed by the facility warden and the following response is provided:

Your account was frozen because you damaged the locking device on the cell door to which you were assigned. The thirty day time limit was an administrative decision universally applied to everyone committing the same infraction.

Date of Response:

2/2/22

Facility Warden

The Facility Warden has final authority and this grievance may not be appealed to a higher authority.

CC: File
Marchand Hill



Inmate / Resident Grievance Form

Step

1

Facility

George W. Hill

Correctional Facility

Instructions:

Inmate/Residents-Attempt informal resolution with a Staff Supervisor. If you feel that the issue is not resolved, complete the form with the information requested. If what you describe is not grievable or unreadable-the form will be returned to you without action.

If this is an **Emergency**-immediately contact a staff member. (An Emergency is defined as an immediate threat to your welfare or safety).

Grievance Number:

(Grievance Coordinator will assign number)

22-01-146

JAN 20 2022

Inmate/Resident Name:

Michael W Paulson

Inmate/Resident Number

21001472

Housing Location:

5-A-211

Describe the nature or description of problem. Print or write legibly. Include time, date and names of persons involved or witnessing the incident. If you need more space, continue on the reverse side of this form. Be as concise as possible.

On the 18th day of ~~October~~ January, 2022, I was advised that Sgt Z. Serody froze my commissary account between the dates of 1/4/22 and 1/15/22. This was done for no legitimate purpose. Further, I believe this was done in retaliation for 1) Beating the write up Serody lodged against me previously, 2) Being released from Administrative Segregation "The Hole" after being housed there unlawfully, 3) Writing a grievance against Sgt. Serody for such misconduct. I would like my commissary account unfrozen, as it was done maliciously and improperly. I have attached a copy of the inmate transaction Detail showing my account frozen.

Date/Time Submitted:

1/19/22 @ 07:00hrs

Inmate/Resident Signature:

Emergency:

☐ Yes☒ No

Inmate/Residents will not write below this line

Date/Time Received:

Grievance Coordinator Name:

Oscar Lemus
Grievance Coordinator

Emergency:

☐ Yes☐ No

Disposition of Grievance

Your Grievance has been carefully reviewed and the following response is submitted:

Mr. Paulson,

Your grievance has been processed and reviewed. It has been determined that your account will be frozen until 2/14/22. End of Response.

Date of Response:

1/21/22

Responding Staff Member name:

If you believe the issue was not resolved and desire to appeal to step two: Request a step 2 grievance form from a staff member. Attach this completed step 1 to the step two, attach any additional documentation and resubmit to the grievance coordinator.

CC: File
Marchand Hill



Inmate / Resident Grievance Form

Step

1

Facility

George W. Hill

Correctional Facility

Instructions:

Inmate/Residents-Attempt informal resolution with a Staff Supervisor. If you feel that the issue is not resolved, complete the form with the information requested. If what you describe is not grievable or unreadable-the form will be returned to you without action.

If this is an **Emergency**-immediately contact a staff member. (An Emergency is defined as an immediate threat to your welfare or safety).

Grievance Number
(Grievance Coordinator will assign number)

IAN 20 2022

By:

Inmate/Resident Name:

Michael Paulson

Inmate/Resident Number

21001472

Housing Location:

5-A-211

Describe the nature or description of problem. Print or write legibly. Include time, date and names of persons involved or witnessing the incident. If you need more space, continue on the reverse side of this form. Be as concise as possible.

I have \$50.72 on my account, but the Phone Commissary System is claiming I have \$0. When I tried to order Commissary Friday 1/19/22 to Monday 1/17/22, It would not let me order and was claiming that I had \$0 on my account. I'm not sure if someone froze my account -- I'm not really sure why they would as I haven't done anything wrong -- or if it's some error, but now I am unable to order commissary. I would like to know what is going on with my account. Thank You.

Date/Time Submitted:

1/18/22 @ 07:00hrs

Inmate/Resident Signature:

Emergency:

☐ Yes☒ No

Inmate/Residents will not write below this line

Date/Time Received:

Grievance Coordinator Name:

Oscar Lemus
Grievance Coordinator

Emergency:

☐ Yes☐ No

Disposition of Grievance

Your Grievance has been carefully reviewed and the following response is submitted:

Date of Response:

Responding Staff Member name:


If you believe the issue was not resolved and desire to appeal to step two:
Request a step 2 grievance form from a staff member. Attach this completed step 1 to the step two, attach any additional documentation and resubmit to the grievance coordinator.

CC: File



Inmate / Resident Grievance Form		Step 2	Facility George W. Hill Correctional Facility
		Grievance Number:	
Instructions: Inmate/Residents: If dissatisfied with the answer to step 1, complete this form stating specific reasons why you do not agree with step 1. Submit to a member of the staff or place in the grievance box. Grievance Coordinator: Log this document. Attach copies of all of the previous documentation of step 1. Forward to the facility warden.			
Inmate/Resident Name: Michael Faulcon	Inmate/Resident Number: 21001472	Housing Location: 5-A-211	
Describe the nature or description of problem. Print or write legibly. Include time, date and names of persons involved or witnessing the incident. If you need more space, continue on the reverse side of this form. Be as concise as possible.			
I was advised by Katherine Miller that the incompetent and insufficient chief of security Richard Leach placed a "Hole" on my commissary account for a period of thirty (30) days beginning on 2/17/22 and ending on 2/17/22 for an allegation on "Tampering With Inmate Property." This was done thirty (30) days after I lost a white up for this and was released from the "Hole" after being illegally detained there. Per Prison Policy, Policy # 1000.01 (see attached) on page #6 (2, 4, H, 3, h), it states that informal resolution sanctions regarding loss of commissary privileges can be for one (1) week but NOT more than seven (7) days. Further that an action of discipline can be resolved informally OR formally, NOT both. Please remove this hold, as it has been more than 7 days and is prohibited pursuant to the attached copy of the Prison's current Policy regarding Discipline. Further, there is no sufficient evidence to even show that I, in fact, committed the elements of the prison's "Chief of security." Failure to remove the hold will result in a civil action against GEO and other involved persons.			
Date/Time Submitted: 2/21/2022 6:07 PM	Inmate/Resident Signature: 		
Inmate / residents will not write below this line			
Date/Time Received:	Grievance Coordinator Name:		
Disposition of Grievance Step 2 (within 5 days of receipt) Your Grievance has been carefully reviewed by the facility warden and the following response is provided:			
Date of Response:			
Facility Warden			
The Facility Warden has final authority and this grievance may not be appealed to a higher authority.			

CC: File
Hatchard 1111

 The GEO Group, Inc.	<p align="center">GEORGE W. HILL CORRECTIONAL FACILITY</p> <p align="center">POLICY and PROCEDURE MANUAL</p> <p>CHAPTER: Inmate Rules and Discipline</p> <p>TITLE: Inmate Rule Violations and Sanctions</p> <p>RELATED ACA STANDARDS: 4-ALDF-2A-50, 3A-01, 3A-02, 6C-02, 6C-03, 6C-16</p> <p>PA DOC STANDARDS: 95.240</p> <p>CORPORATE POLICY: 14.2.1</p>	<p><u>NUMBER:</u> 1000.01</p> <p><u>SUPERSEDES:</u> 08/24/16</p> <p><u>EFFECTIVE:</u> 07/08/20</p>
--	--	---

1. POLICY:

It is the policy of the George W. Hill Correctional Facility to maintain rules of inmate conduct, specify acts prohibited within the facility and the range of penalties that can be imposed for various degrees of violation. The rules are reviewed annually and updated, if necessary. (3A-01) When rule violations require formal resolution staff members prepare a disciplinary report and forward it to the designated supervisor. (6C-03) An inmate who allegedly commits an act covered by criminal law is referred to the Delaware County Criminal Investigation Division for consideration. (6C-02)


It is the policy for George W. Hill Correctional Facility that none of the following be used as sanctions against an inmate:

- Deviations from normal feeding procedures
- Any form of corporal punishment
- Any form of discipline imposed by another inmate
- Any form of supervision by another inmate
- Disciplinary Detention in excess of 60 consecutive days
- Deprivation of clothing or bedding (This does not apply to inmates who engage in the practice of trying to destroy such items-the decision to deprive must be reviewed at intervals not to exceed 24 hours by the Facility Administrator or designee)
- Denial of necessary personal hygiene items
- The use of a "violent cell" or restraints as punishment
- Deprivation of correspondence when the offense is unrelated to a violation of facility rules relating to that activity. In no case shall special mail privileges be suspended
- Deprivation of physical recreation or exercise

2. AUTHORITY:

Corporate and Facility Policy

3. DEFINITIONS:

	<p>George W. Hill Correctional Facility</p> <p>POLICY AND PROCEDURE MANUAL</p>	<p>NUMBER:</p> <p>1000.01</p>
---	---	---


Reclassification: To remove an inmate from his/her present classification, and assign them to another classification.

4. PROCEDURES:

- A. Inmates: The facility will provide each inmate with a set of disciplinary procedures included in the Inmate Handbook that contains all chargeable offenses and ranges of penalties. The Inmate Handbook will be translated into those languages spoken by a significant number of inmates.
- B. Signed Acknowledgement of receipt of the Inmate Handbook will be maintained in each inmate's file.
- C. Staff Members will also receive a copy of the disciplinary procedures and the inmate Handbook.
- D. Literacy or Language Problems that prevent an inmate from understanding the Inmate Handbook requires the facility to provide a staff member or translator for the rules and the sanctions available.
- E. Training is required for all personnel who work with inmates so that they are thoroughly familiar with the rules of inmate conduct, the rationale for the rules, and the sanctions available.
- F. Review of written disciplinary procedures and Inmate Handbook is required annually with updating as necessary.
- G. Misconduct Charges-Behavior, which constitutes any of the following, is prohibited.

Class I Charges

- 1. Violation of the Pennsylvania Crimes Code*
- 2. Murder*
- 3. Rape*
- 4. Arson*
- 5. Riot*
- 6. Escape*
- 7. Assault*
- 8. Burglary*
- 9. Kidnapping*


 The GEO Group, Inc.	George W. Hill Correctional Facility POLICY AND PROCEDURE MANUAL	NUMBER: 1000.01
--	--	----------------------------------

10. Aggravated Assault*
11. Voluntary Manslaughter*
12. Extortion by Threat of Violence*
13. Involuntary Sexual Deviate Sexual Intercourse*

*All denoted violations can be charged as violations of the Pennsylvania Crimes Code and subject to the formal disciplinary process

14. Attempted Escape
15. Fighting/Assault (Inmate) Without Injury
16. Fighting/Assault (Inmate) With Injury
17. Fighting/Assault (Staff)
18. Engaging in Sexual acts with others or sodomy
19. Wearing a disguise or mask
20. Threatening another person
21. Possession of contraband including:
 - a. Implements of escape
 - b. Un-prescribed drugs
 - c. Drugs which are prescribed, but the inmate is not authorized to possess
 - d. Drug paraphernalia
 - e. Poisons
 - f. Intoxicants
 - g. Materials used for fermentation
 - h. Weapons or other items which in the hands of an inmate present a threat to self, others or to the security of the institution.
 - i. Property of another.
 - j. Money
 - k. Possession or use of a dangerous or controlled substance
 - l. Possession, making or use of intoxicating beverages
 - m. Tobacco or tobacco products
 - n. Matches or lighters
 - o. Cell phones and chargers
 - p. Any or all materials for tattooing
 - q. Hoarding medications

(NOTE: When an inmate is charged under this section with possession of an item of contraband which is a weapon or item (which in his hands presents a threat to others or to the security of the institution), and the item also has a legitimate use in the area discovered, credible evidence that the item has been used only for legitimate purpose shall be considered


 The GEO Group, Inc.	George W. Hill Correctional Facility POLICY AND PROCEDURE MANUAL	NUMBER: 1000.01
--	--	----------------------------------

to mitigate the misconduct to a Class II.)

22. Extortion or blackmail
23. Tattooing or other forms of self-mutilation
24. Destroying, altering, tampering with or damaging property
25. Indecent exposure
26. Engaging in, or encouraging unauthorized group activity
27. Refusing to work, or encouraging others to refuse to work
28. Violation of a condition of the Pre-Release or Work Release Program (must be specified if not listed below in writing on disciplinary write-up)
 - a. Failure to report to work
 - b. Failure to report back from work
 - c. Use of illegal substances while working
 - d. Returning in possession of contraband from work
 - e. Returning at unauthorized time
 - f. Unauthorized transportation to and from work
 - g. Positive urinalysis results
29. Violation of visiting regulations (must be specified in writing on disciplinary write up)
30. Bribery
31. Repeated Class II Misconduct
32. Conspiracy to commit any Class I or class II Misconduct
33. Threatening, Harassing or interfering with an officer including Prison K-9
34. Refusing to submit to a Urinalysis test
35. Tampering with urine
36. Positive urinalysis results
37. Putting money on another inmate's account to avoid processing fees, etc.
38. Fraternizing with a male or female inmate.
39. Unauthorized use of Pin #
40. Inmate hoarding medication.
41. Refusing to strip during a strip search

Class II Charges (All violations in this class may be subject to an informal resolution)

1. Loaning or borrowing property
2. Body punching or horseplay
3. Failure to report to work or unexcused absence from work
4. Possession of any item not authorized for retention or receipt by the inmate not specifically enumerated as Class I contraband
5. Any violation of a rule or regulation in the Inmate Handbook not specified as a Class I misconduct
6. Failure to follow safety and sanitation regulations regarding the inmate's


	<p>George W. Hill Correctional Facility</p> <p>POLICY AND PROCEDURE MANUAL</p>	<p>NUMBER: 1000.01</p>
---	---	--

- person, quarters or equipment
7. Taking unauthorized food from the Kitchen
 8. Breaking restriction or quarantine
 9. Gambling or conducting a gambling operation
 10. Unauthorized use of the mail or telephone
 11. Using abusive or obscene language to an employee
 12. Failure to stand count, or interference with count
 13. Lying to an employee
 14. Presence in unauthorized area
 15. Failure to report the presence of contraband
 16. Disruption or interference with the security or orderly running of the institution
 17. Adulteration of any food or drink
 18. Stealing
 19. Smoking
 20. Lock tampering
 21. Refusing to obey an order
 22. Destroying or altering uniforms

NOTE: Any attempt to commit to any of the above listed charges shall constitute a misconduct of the same classification, as the completed act would be. (3A-02)

H. Misconduct Sanctions

1. The Hearing Administrator shall impose misconduct sanctions.
2. Inmates found guilty of Class I misconduct charges may be subject to any one or more of the following:
 - a. Assignment to disciplinary custody status for a period not to exceed sixty (60) days arising from one incident and/or prosecution for violation of Pennsylvania Crimes Code. Continuous confinement for more than 30 days requires the review and approval of the Assistant Superintendent.
 - b. Loss of privileges, including commissary for a period not to exceed sixty (60) days. Privileges lost will be specifically identified and should be, when possible, specifically related to the misconduct/ violation.
 - c. Payment of fair market value of property lost, damaged or expenses incurred as a result of the misconduct/ violation.
 - d. Reprimand, warning, or counseling

	<p>George W. Hill Correctional Facility</p> <p>POLICY AND PROCEDURE MANUAL</p>	<p>NUMBER:</p> <p>1000.01</p>
---	---	---

- e. Suspension or removal from job
- f. Confiscation of contraband
- g. Loss of "Good Time"
- h. Loss of commissary privileges
- i. Recommend Re – Classification to another status i.e.; Administrative Segregation.

NO SUSPENDED SENTENCES WILL BE ISSUED TO ANY INMATE AT THE G.W.H.C.F.

3. When resolved at the informal level Inmates accused of a violation of Class II misconduct charges can be subjected to one or more of the following sanctions by the Unit Manager involved in the resolution:


- a. No action taken or required.
- b. Reprimand, Warning or Counseling
- c. Referred to the Hearing Administrator
- d. Cell restriction for four (4) hours (no more than 3 days consecutively)
- e. Loss of privilege: going to the indoor gym (not a loss of recreation time, no more than seven days)
- f. Loss of privilege: use of the telephone (no more than seven days)
- g. Loss of privilege: tier recreation only (no more than seven days)
- h. Loss of privilege: one-week commissary (no more than seven days)
- i. Assignment of additional work duties (without compensation)
- j. Restitution for damage/destroyed property/clothing/linens
- k. Relocation: Cell Transfer
- l. Relocation: Pod Transfer
- m. Special Search conditions: to include pat-down searches and cell searches at any time and as often as the Unit Manager deems necessary, for a prescribed amount of time not to exceed four weeks

NOTE: Each Unit Manager can use his/her discretion to determine if a specific violation is to be informally resolved or referred to the Disciplinary Hearing Administrator. 3A-02

I. **Violation of Regulations and Criminal Laws While Incarcerated (3A-02)**

1. **Laws and Penalties While in Prison**

- a. Escape: SECTION 5121
A person commits an offense if he unlawfully removes himself from

	<p>George W. Hill Correctional Facility</p> <p>POLICY AND PROCEDURE MANUAL</p>	<p>NUMBER: 1000.01</p>
---	--	--

official detention following temporary leave.

b. Implements for Escape: SECTION 5122

A person commits a misdemeanor of the first degree, if he/she unlawfully introduces within a detention facility or mental hospital, or unlawfully provides an inmate thereof with any weapon, tool or other thing, which may be used for escape. An inmate commits a misdemeanor of the first degree, if he unlawfully procures makes or otherwise provides himself with, or has in his possession any such implement of escape. As used in this section, the word "unlawfully" means surreptitiously or contrary to law regulation or order of the detaining authority.


2. Contraband: SECTION 5123

A person commits a felony of the second degree if he/she sells, gives, transmits or furnishes to any convict in a prison, or inmate in a mental hospital, or gives away in or brings into any prison, mental hospital, or any building appurtenant thereto, or on the land granted to or owned or leased by the Commonwealth or county for the use and benefit of the prisoners or inmates, or puts in any place where it may be secured by a convict of a prison, inmate of a mental hospital, or employee thereof, any controlled substance included in Schedules I through V of the act of April 14, 1972 (P.L.233, No. 64), known as the Controlled Substance, Drug, Device and Cosmetic Act, (except the ordinary hospital supply of the prison or mental hospital) without a written permit signed by the physician of such institution, specifying the quantity and quality of the substance which may be furnished to any convict, inmate, or employee in the prison or mental hospital, the name of the prisoner, inmate, or employee for whom, and the time when the same may be furnished, which permit shall be delivered to and kept by the Facility Administrator or Warden of the prison or mental hospital.

3. Riot: SECTION 5501 Pennsylvania Criminal Law-Criminal Procedure

A person is guilty of a riot, a felony of the third degree, if he participates with two or more others in a course of disorderly conduct:


- a. With intent to commit or facilitate the commission of a felony or misdemeanor.

 <p>The GEO Group, Inc.</p>	<p>George W. Hill Correctional Facility</p> <p>POLICY AND PROCEDURE MANUAL</p>	<p>NUMBER:</p> <p>1000.01</p>
---	---	---

- b. With intent to prevent or coerce official action.
 - c. With the actor of any other participant to the knowledge of the actor, use a firearm or other deadly weapon.
 - d. SECTION 5502 Failure of Disorderly Persons to Disperse Upon Official Order - When three or more persons are participating in a course of disorderly conduct which causes or may reasonably be expected to cause substantial harm or serious inconvenience, annoyance or alarm, a police officer or public servant engaged in executing or enforcing the law may order the participants and others in the immediate vicinity to disperse. A person who refuses or knowingly fails to obey such an order commits a misdemeanor of the second degree.
4. Hostages: SECTION 2901 Kidnapping, Pennsylvania Criminal Law and Criminal Procedure
- a. Offense defined: A person is guilty of kidnapping if he unlawfully removes another a substantial distance under the circumstances from the place where he or she is found; or if he or she unlawfully confines another for a substantial period in a place of isolation, with any of the following intentions:
 - 1. to hold for ransom or reward, or as a shield or hostage,
 - 2. to facilitate commission of any felony or flight thereafter,
 - 3. to inflict bodily injury on or to terrorize the victim or another,
 - 4. to interfere with the performance by the public officials or any governmental or political function.
 - b. KIDNAPING IS A FELONY OF THE FIRST DEGREE. A removal or confinement is unlawful within the meaning of this section if it is accomplished by force, threat or deception, or in the case of a person who is under the age of 14 years or incompetent, if is accomplished without the consent of a parent, guardian or other person responsible for general supervision of his welfare.
5. Assault: SECTION 2701 Simple Assault

Offense defined: A person is guilty of assault if he:

- a. Attempts to cause or intentionally, knowingly or recklessly causes

 <p>The GEO Group, Inc.</p>	<p>George W. Hill Correctional Facility</p> <p>POLICY AND PROCEDURE MANUAL</p>	<p>NUMBER:</p> <p>1000.01</p>
--	--	---

- bodily injury to another.
- b. Negligently causes bodily injury to another with a deadly weapon.
- c. Attempts by physical menace to put another in fear of imminent serious bodily injury.

Grading - Simple assault is a misdemeanor of the second degree, unless committed in a fight or scuffle entered into by mutual consent in which case it is a misdemeanor of the third degree.


6. Aggravated Assault: SECTION 2702

- a. Attempt to cause serious bodily injury to another, or cause such injury intentionally, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life.
- b. Attempts to cause or intentionally, knowingly or recklessly cause serious bodily injury to any of the officers, agents, employees or other persons enumerated in subsection (c), in the performance of duty; making or attempting to make a lawful arrest.
- c. Attempts to cause or intentionally or knowingly cause bodily injury to another with a deadly weapon.
- d. Attempts by physical menace to put any of the officers, agents, employees or other persons enumerated in subsection (c), while in the performance of duty in fear of imminent serious bodily injury.

Grading - Aggravated assault under subsection (a) (1) and (2) is a felony of the first degree. Aggravated assault under subsection (a) (3), (4), (5), (6) and (7) is a felony of the second degree.

(c) Officers, employees, etc., enumerated—The officers, agents, employees and other persons referred to in subsection (a) shall be as follows:

- 1. Police Officer
- 2. Firefighter
- 3. County Adult Probation or Parole Officer
- 4. County Juvenile Probation or Parole Officer
- 5. An agent of the Pennsylvania Board of Probation and Parole
- 6. Sheriff
- 7. Deputy Sheriff
- 8. Officer or employee of a correctional institution, county jail or prison, juvenile detention center or any other facility to which the person has been ordered by the court pursuant to a petition alleging delinquency under 42.Pa.C.S. Ch. 63.

	<p style="text-align: center;">George W. Hill Correctional Facility</p> <p style="text-align: center;">POLICY AND PROCEDURE MANUAL</p>	<p style="text-align: center;">NUMBER: 1000.01</p>
---	--	--

7. Assault by Prisoner: SECTION 2703


Assault by prisoner: A person who is confined in or committed to any local or county detention facility, jail or prison or any state penal or correctional institution or other State penal or correctional facility located in this Commonwealth is guilty of a felony of the second degree if he, while so confined or committed or while undergoing transportation to or from such an institution or facility in or to which he was confined or committed intentionally or knowingly, commits an assault upon another with a deadly weapon or instrument, or by any means or force likely to produce serious bodily injury. A person is guilty of this offense if he intentionally or knowingly causes another to come into contact with blood, seminal fluid, saliva, urine or feces by throwing, tossing, spitting or expelling such fluid or material when, at the time of the offense, the person knew, had reason to know, should have known or believed such fluid or material to have been obtained from an individual, including the person charged under this section, infected by a communicable disease, including, but not limited to, human immunodeficiency virus (HIV) or hepatitis B.

8. Aggravated Harassment by Prisoner: SECTION 2703.1

“A person who is confined in or committed to any local or county detention facility, jail or prison...located in the Commonwealth, commits a Felony of the 3rd Degree if he, while so confined or committed or while undergoing transportation to or from such an institution or facility...intentionally or knowingly causes or attempts to cause another to come into contact with blood, seminal fluid, saliva, urine or feces by throwing, tossing, spitting or expelling fluid or material.

9. Assault by Life Prisoner: SECTION 2704

Every person who has been sentenced to death or life imprisonment in any penal institution located in this Commonwealth, and whose sentence has not been commuted, who commits an aggravated assault with a deadly weapon or instrument upon another, or by any means of force likely to produce serious bodily injury, is guilty of a crime, the penalty for which shall be as the penalty for murder of the second degree. A person is guilty of this offense if he intentionally or knowingly causes another to come into contact with blood, seminal fluid, saliva, urine, or feces by throwing, tossing,

 The GEO Group, Inc.	George W. Hill Correctional Facility POLICY AND PROCEDURE MANUAL	NUMBER: 1000.01
--	--	----------------------------------

spitting or expelling such fluid or material when, at the time of the offense, the person knew, had reason to know, should have known or believed such fluid or material to have been obtained from an individual, including the person charged under this section, infected by a communicable disease, including, but not limited to, human immunodeficiency virus (HIV) or hepatitis B.

J. INMATE SANCTIONING BY THE G.W.H.C.F. DISCIPLINARY HEARING ADMINISTRATOR

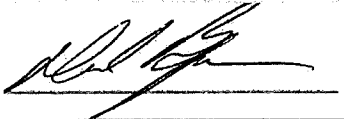
An inmate that is the subject of a disciplinary action at the G W H C F can only be found "Guilty" or "Not Guilty" at a disciplinary hearing. When the Disciplinary Hearing Administrator finds a verdict of "Guilty", the inmate who is the subject of the disciplinary action shall be sanctioned with the minimum sentence for a first offense charge. For a second offense charge, two-thirds (2/3) of the maximum sanction is to be issued. For a third offense violation the maximum sanction is to be imposed. For a fourth offense violation, the inmate shall receive the maximum sanction for that violation, plus one- third (1/3) of the maximum sanction, and so on up to a maximum of 60 days for all violations arising out of one incident. If an inmate, at the G.W.H.C.F. is found not guilty of an alleged rule violation, the disciplinary report is removed from all of the inmate's files. (6C-16)

5. **REVIEW:**

The Facility Administrator will review this policy on an annual basis.

6. **ATTACHMENTS:**

Violations of Regulations and Sanctions

Policy Approval		
Policy Approved	David Byrne Facility Administrator	

1000.01

GEORGE W. HILL CORRECTIONAL FACILITY
VIOLATIONS OF REGULATIONS AND SANCTIONS

**Class 1 Charges (including those violations to be charged under the
Pennsylvania Crimes Code)**

Article #		1 st Offense	2 nd Offense	3 rd Offense
1.	Violation of the Pennsylvania Crimes Code	60-days	60-days	60-days
2.	Murder	60-days	60-days	60-days
3.	Rape	60-days	60-days	60-days
4.	Arson	60-days	60-days	60-days
5.	Riot	60-days	60-days	60-days
6.	Escape	60-days	60-days	60-days
7.	Assault	60-days	60-days	60-days
8.	Burglary	60-days	60-days	60-days
9.	Kidnapping	60-days	60-days	60-days
10.	Aggravated Assault	60-days	60-days	60-days
11.	Voluntary Manslaughter	60-days	60-days	60-days
12.	Extortion by Threat of Violence	60-days	60-days	60-days
13.	Involuntary Deviate Sexual Intercourse	60-days	60-days	60-days

**Class 1 Charges (excluding those violations to be charged under the
Pennsylvania Crimes Code)**

Article #		1 st Offense	2 nd Offense	3 rd Offense
14.	Attempted Escape	60-days	60-days	60-days
15.	Fighting/Assault (Inmate) Without Injury	20-days	30-days	45-days
16.	Fighting/ Assault (Inmate) With Injury	30-days	45-days	60-days
17.	Fighting/Assault (Staff)	60-days	60-days	60-days
18.	Engaging in sexual acts with others or sodomy	30-days	45-days	60-days
19.	Wearing a disguise or mask	20-days	40-days	60-days
20.	Threatening another person	15-days	20-days	30-days
21.	Possession of contraband including:			
	a) Implements of escape	60-days	60-days	60-days
	b) Un-prescribed drugs	60-days	60-days	60-days
	c) Drugs which are prescribed, but the inmate is not authorized to possess	60-days	60-days	60-days
	d) Drug paraphernalia	60-days	60-days	60-days
	e) Poisons	60-days	60-days	60-days
	f) Intoxicants	60-days	60-days	60days
	g) Material used for fermentation	60-days	60-days	60-days
	h) Weapons or other items which in the hands of an inmate present a threat to self, others or to the security of the institution.	60-days	60-days	60-days
	i) Property of another	20-days	30-days	40-days
	j) Money	15-days	20-days	30-days

	k) Possession or use of a dangerous or controlled substance	60-days	60-days	60-days
	l) Possession, making or use of intoxicating beverages	60-days	60-days	60-days
	m) Possession of tobacco or tobacco product	10-days	25-days	40-days
	n) Matches or lighters	20-days	30-days	40-days
	o) Cell phones and chargers	60-days	60-days	60-days
	p) Any or all materials used for tattooing	20-days	30-days	40-days
	q) Hoarding medication	25-days	35-days	45-days
22.	Extortion, or blackmail	10-days	20-days	30-days
23.	Tattooing or other forms of self mutilation	10-days	20-days	30-days
24.	Destroying, altering, tampering with or damaging property	10-days	20-days	30-days
25.	Indecent exposure	10-days	20-days	30-days
26.	Engaging in, or encouraging unauthorized group activity	10-days	20-days	30-days
27.	Refusing to work, or encouraging others to refuse to work	10-days	20-days	30-days
28.	Violation of a condition of the Pre-Release or Work Release Program (Must be specified in writing on disciplinary write-up)			
	a) Failure to report to work	30-days	45-days	60-days
	b) Failure to report back from work	30-days	45-days	60-days
	c) Use of illegal substances while working	30-days	45-days	60-days
	d) Returning in possession of contraband from work	30-days	45-days	60-days
	e) Returning at unauthorized time	15-days	25-days	30-days
	f) Unauthorized transportation to and from work	15-days	25-days	30-days
	g) Positive Urinalysis results	60-days	60-days	60-days
29.	Violation of visiting regulations (must be specified in writing on disciplinary write up)	30-days	45-day	60-days
30.	Bribery	10-days	20-days	30-days
31.	Repeated Class II Misconduct	10-days	20-days	30-days
32.	Conspiracy to commit any Class I or Class II Misconduct	10-days	20-days	30-days
33.	Threatening, Harassing or interfering with an officer including Prison K-9	30-days	40-days	60-days
34.	Refusing to submit to a Urinalysis test	60-days	60-days	60-days
35.	Tampering with urine	60-days	60-days	60-days
36.	Positive urinalysis results	60-days	60-days	60-days
37.	Money on another inmate's books	20 days	30 days	60 days
38.	Fraternization	20 days	30 days	60 days
39.	Unauthorized use of pin #	20 days	30 days	60 days
40.	Hoarding medication	20 days	30 days	60 days
41.	Refusing to strip during a Strip Search	20 days	30 days	60 days

Class II Charges

Article #		1 st Offense	2 nd Offense	3 rd Offense
1.	Loaning and Borrowing	Informal Resolution	10-days	20-days
2.	Body punching or horse playing	Informal Resolution	10-days	20-days
3.	Failure to report to work or unexcused absence from work	Informal Resolution	10-days	20-days
4.	Possession of any item not authorized for retention or receipt by the inmate not specifically enumerated as Class 1 contraband	Informal Resolution	10-days	20-days
5.	Any violation of a rule or regulation in the Inmate Handbook not specified as a Class I misconduct	Informal Resolution	10-days	20-days
6.	Failure to follow safety and sanitation regulations regarding the inmate's person, quarters or equipment	Informal Resolution	10-days	20-days

7.	Taking unauthorized food from the kitchen	Informal Resolution	10-days	20-days
8.	Breaking restriction or quarantine	Informal Resolution	10-days	20-days
9.	Gambling or conducting a gambling operation	Informal Resolution	10-days	20-days
10.	Unauthorized use of the mail or telephone	Informal Resolution	10-days	20-days
11.	Using abusive or obscene language to an employee	Informal Resolution	10-days	20-days
12.	Failure to stand count, or interference with count	Informal Resolution	10-days	20-days
13.	Lying to an employee	Informal Resolution	10-days	20-days
14.	Presence in an unauthorized area	Informal Resolution	10-days	20-days
15.	Failure to report the presence of contraband	Informal Resolution	10-days	20-days
16.	Disruption or interference with the secure or orderly running of the institution	Informal Resolution	10-days	20-days
17.	Adulteration of any food or drink	Informal Resolution	10-days	20-days
18.	Stealing	Informal Resolution	10-days	20-days
19.	Smoking	Informal Resolution	10-days	20-days
20.	Lock tampering	Informal Resolution	10-days	20-days
21.	Refusing to obey an order	Informal Resolution	10-days	20-days
22.	Destroying or altering uniforms	Informal Resolution	10-days	20-days

07/08/20

LIMITED DUE PROCESS

- ①. LIMITED DUE PROCESS OF LAWS PROTECTS INMATES IN PRISON FROM ARBITRARY PUNISHMENT. DISCIPLINE MAY NOT BE IMPOSED UNLESS THE INMATE HAS BEEN INFORMED OF THE OFFENSE, CHARGED IN WRITING, HAS AN OPPORTUNITY TO PRESENT A DEFENSE AND THE INMATE HAS BEEN FOUND GUILTY OF THE CHARGE BY AN IMPARTIAL PARTY OR BOARD DESIGNATED BY THE WARDEN.
2. WRITTEN NOTICE: THE INMATE MUST RECEIVE WRITTEN NOTICE OF THE INFRACTION WITHIN 24 HOURS OF THE TIME OF THE INFRACTION. THIS DOCUMENT WILL INFORM THE INMATE OF VIOLATION CHARGED AGAINST HIM/HER.
3. THE INMATE MAY WISH TO WAIVE THE RIGHT OF A 24 HOUR TIME LAPSE BEFORE A HEARING IS CONDUCTED. THERE IS A PLACE ON THE BACK OF THE DISCIPLINARY REPORT FOR THE INMATES SIGNATURE.
4. INVESTIGATION: AN INVESTIGATION IS PERFORMED AFTER THE NOTICE OF INFRACTION IS GIVEN TO THE INMATE. THE INVESTIGATION MUST BE COMPLETED WITHIN A 24-HOUR PERIOD UNLESS NOTED BY THE CHIEF OF SECURITY THAT ADDITIONAL TIME IS NEEDED TO COMPLETE THE INVESTIGATION.
- ⑤. HEARING NOTICE: THIS NOTICE IS GIVEN TO THE INMATE HOURS PRIOR TO THE INMATES HEARING TO INFORM THE INMATE THAT HIS/HER HEARING WILL BE PERFORMED ON A SPECIFIC DATE AND TIME.

CONTINUATION OF DUE PROCESS

- (6). HEARING STATUS: THE HEARING MUST BE PERFORMED WITHIN A 7 -DAY PERIOD NOT INCLUDING WEEKENDS AND HOLIDAYS.
7. INTERPRETER: NON-ENGLISH SPEAKING INMATES ARE ENTITLED TO AN INTERPRETER TO CONFIRM THAT THE INMATE ACCUSED OF HIS CHARGE FULLY UNDERSTANDS HIS RIGHTS AND DISCIPLINARY ACTION BEING TAKEN AGAINST THE INMATE.
8. WITNESSES: INMATES DO HAVE THE RIGHT TO CALL INMATE WITNESS DURING THE HEARING PROCESS. INMATES DO NOT HAVE THE RIGHT TO CALL STAFF MEMBERS AS WITNESSES TO THE INFRACTION. IF FOR ANY REASON THE CALLING OF AN INMATE WITNESS IS DENIED DOCUMENTATION OF DENIAL WILL BE NOTED ON THE DISCIPLINARY ACTION HEARING FORM.
9. CONFRONTATION AND CROSS EXAMINATION: INMATES DO NOT HAVE THE RIGHT TO CONFRONT OR CROSS -EXAMINE WITNESS UNDER ANY CIRCUMSTANCES.
10. COUNSEL: INMATES HAVE NO RIGHT TO COUNSEL DURING HEARING PROCEDURES. INMATES MAY HAVE INTERPRETERS AND ASSISTANCE FOR ILLITERACY ISSUES.
11. HEARING BOARD: THE HEARING BOARD CONSISTS OF THE HEARING ADMINISTRATOR, IN WHICH THIS PERSON WILL BE AN IMPARTIAL PARTY. IN THE EVENT THE HEARING ADMINISTRATOR WITNESSES THE INCIDENT A REPLACEMENT WILL SIT IN THEIR PLACE.
12. HEARING DECISION: THE DECISION REACHED AT THE HEARING OR APPEAL BOARD, MUST BE BASED UPON THE EVIDENCE PRESENTED. THE DECISION MAKER MUST STATE THE REASON FOR THE DETERMINATION OF GUILTY IF THAT IS THE DECISION REACHED.

~~13. HEARING DOCUMENTATION: ALL COMPLETED HEARING DOCUMENTATION WILL BE PLACED IN THE OFFENDERS OFFICIAL FILE LOCATED IN RECORDS.~~

14. VIOLATION OF STATE LAW: WHEN A VIOLATION OF A STATE LAW IS COMMITTED IN ANY PENNSYLVANIA COUNTY PRISON, PRISON OFFICIALS ARE LIMITED TO IDENTIFYING AND ISOLATING THE SUSPECT UNTIL POLICE INVESTIGATION (C.I.D) ARRIVE. NO FURTHER QUESTIONING OF THE SUSPECT BY THE PRISON STAFF IS PERMITTED.

15. PUNISHMENT: AN INMATE FOUND GUILTY OF VIOLATING PRISON REGULATIONS MAY BE PUNISHED ONLY BY LOSS OF PRIVILEGES AND/OR BY SEGREGATION (SEPERATION FROM THE GENERAL POPULATION). YOU CANNOT DENY VISITS OR MAIL FROM FAMILY OR APPROVED FRIENDS AS PUNISHMENT. UNLESS THE REASON FOR THE DENIAL IS A SERIOUS VIOLATION OF THE VISITING OR MAIL REGULATION AND/OR THERE IS A SERIOUS SECURITY THREAT.

Michael W Paulson
Inmate # 21001472
Delaware County Prison
PO Box 23, 500 Chexney Road
Harrington, PA 19373

Clerk of Courts
Eastern District of Pennsylvania
U.S. Courthouse
601 Market Street, Room 2609
Philadelphia, PA 19106 - 1797

Legal Mail

Hasler
02/09/2022
US POSTAGE \$003.16⁰
FIRST-CLASS MAIL
ZIP 19373
011E10674944

U.S.M.S.
X-RAY

